

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

In Re:	: Bankruptcy No. 23-02152-MJC
Carlos Raul Pena	: Chapter 13
Aka Carlos Raul Pena Febres	:
	:
Debtor	:
	:
Westlake Services, LLC	:
Movant	:
vs.	:
	:
Carlos Raul Pena	:
Aka Carlos Raul Pena Febres	:
Debtor/Respondent	:
and	:
Jack N Zaharopoulos, Esquire	:
Trustee/Respondent	:

OBJECTION TO CONFIRMATION OF THE AMENDED PLAN

Westlake Services, LLC (“Movant”), by its attorneys, Hladik, Onorato & Federman, LLP, objects to confirmation of the Amended Chapter 13 Plan of Debtor, Carlos Raul Pena (“Debtor”), as follows:

1. As of the bankruptcy filing date of September 20, 2023, Movant holds a secured Claim against the Debtor’s Vehicle, a 2014 Honda Odyssey; VIN: 5FNRL5H60EB106865 (the “Vehicle”).
2. On October 17, 2023, Movant filed a Proof of Claim with a total secured claim in the amount of \$5,485.17, and a pre-petition arrearage of \$947.96.
3. The Amended Plan fails to provide for any payment on Movant’s secured claim.
4. The Amended Plan violates of 11 USC § 1325(a)(5)(B)(ii) by not providing for Movant to receive the full value of its claim.
5. Movant objects to the feasibility of the Amended Plan under 11 U.S.C. § 1325(a)(6). The Plan proposed by Debtors is not feasible. Movant requests that the bankruptcy case either be converted to a Chapter 7 or be dismissed pursuant to 11 U.S.C. § 1307.

WHEREFORE, Movant respectfully requests that this Honorable Court deny confirmation of the Debtors' Chapter 13 Plan.

Respectfully submitted,

Dated: 10/26/2023

/s/Sarah K. McCaffery, Esquire
Sarah K. McCaffery, Esquire
Hladik, Onorato & Federman, LLP
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**CERTIFICATE OF MAILING OF OBJECTION TO THE PROPOSED
PLAN TO PARTIES IN INTEREST**

I, Sarah K. McCaffery, Esquire, attorney for Westlake Services, LLC (“Movant”), certify that I served a copy of the attached Objection to the Amended Plan to the parties below on 10/26/2023:

Jack N Zaharopoulos, Esquire Via Electronic Filing <i>Trustee</i>	Carlos Raul Pena, PRO SE Aka Carlos Raul Pena Febres 8535 Rolla Rd. Cresco, PA 18326 Via First Class Mail <i>Pro Se Debtor</i>
Date: 10/26/2023	Respectfully Submitted, <u>/s/ Sarah K. McCaffery, Esquire</u> Sarah K. McCaffery, Esquire Hladik, Onorato & Federman, LLP 298 Wissahickon Avenue North Wales, PA 19454 Phone 215-855-9521/Fax 215-855-9121 smccaffery@hoflawgroup.com